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<b>PROCESSING FEE</b> <b>Under 37 CFR 1.17(i)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision)  Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	<b>Application Number</b>	10/519,495-Conf. #5386
	<b>Filing Date</b>	December 30, 2004
	<b>First Named Inventor</b>	Ingela PETERSSON
	<b>Art Unit</b>	N/A
	<b>Examiner Name</b>	Not Yet Assigned
	<b>Attorney Docket Number</b>	0104-0497PUS1

Enclosed is a paper filed under 37 CFR 1.48 that requires a processing fee (37 CFR 1.17(i)).  
Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the processing fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 02-2448 :  
☒ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

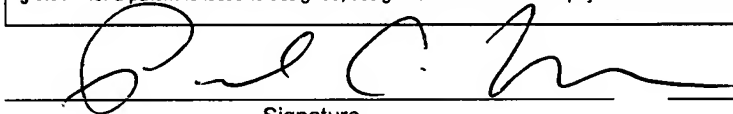
☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Processing Fees under 37 CFR 1.17(i): Fee \$130**

**Fee Code 1808 for all,  
Except for \$1.221 papers (Fee Code 1803)**

For papers filed under:

- § 1.28(c)(3) – for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 – for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 – for correcting inventorship, except in provisional applications.
- § 1.52(d) – for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) – to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 – for entry of late priority papers.
- § 1.71(g)(2) – to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods
- § 1.99(e) – for processing a belated submission under § 1.99.
- § 1.103(b) – for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) – for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) – for requesting deferred examination of an application.
- § 1.217 – for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 – for requesting voluntary publication or republication of an application. **Fee Code 1803**
- § 1.291(c)(5) – for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) – for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 – for a patent to issue to assignee, assignment submitted after payment of the issue fee.

  
\_\_\_\_\_  
Signature  
Paul C. Lewis  
Typed or printed name

\_\_\_\_\_  
May 9, 2007  
Date  
43,368  
Registration No., if applicable



Docket No.: 0104-0497PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ingela PETERSSON et al.

Application No.: 10/519,495

Confirmation No.: 5386

Filed: December 30, 2004

Art Unit: 3732

For: Implant and a method for treating an implant  
surface

Examiner: C. C. Stokes

**AMENDMENT, PETITION AND FEE TO DELETE AND/OR ADD TO  
ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED INVENTOR(S) IN  
-NONPROVISIONAL APPLICATION- DECLARATION  
(37 C.F.R. § 1.48(A))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. This amendment and petition is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on August 8, 2005.

Addition and/or Deletion of Inventor(s):

Add the following previously unnamed person(s) as inventor(s) of this application

Inventor: Residence (city and foreign country):

Jan-Eirik ELLINGSEN

Caroline Overlandsvei 19

NO-1356 Bekkestua

NORWAY

05/10/2007 YPOLITE1 00000092 022448 10519495

01 FC:1464 130.00 DA

Attachments:

2. A statement from:

each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(2).

each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(2).

a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63. 37 C.F.R. § 1.48(a)(3).

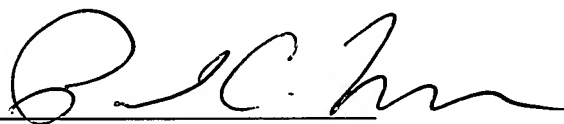
written assent of the assignee (*if any of the original inventors executed an assignment*) 37 C.F.R. § 1.48(a)(5).

3. The fee as set forth in (37 C.F.R. § 1.17(i)).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: May 9, 2007

Respectfully submitted,

By   
Paul C. Lewis  
Registration No.: 43,368  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

Attachments



271 7043  
Docket No.: 0104-0497PUS1  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ingela PETERSSON et al.

Application No.: 10/519,495

Confirmation No.: 5386

Filed: December 30, 2004

Art Unit: 3732

For: Implant and a method for treating an implant  
surface

Examiner: C. C. Stokes

STATEMENT BY INVENTOR

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is an attachment to a Petition to Correct Inventorship under 37 C.F.R. § 1.48(a), filed in connection with the above-identified application.

I, Jan-Eirik ELLINGSEN of Bekkestua, <sup>NORWAY</sup>~~Sweden~~, am a coinventor of the above-identified application.

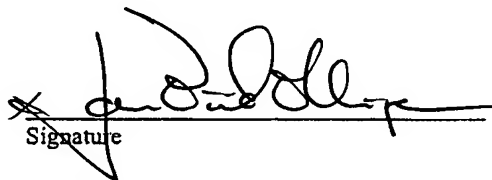
The inventorship error occurred without deceptive intention on my part.

Application No.: 10/519,495

Docket No.: 0104-0497PUS1

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Jan. 30 - 2007  
Date

  
Signature

Jan Eirik ELLINGSEN



Docket No.: 0104-0497PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ingela PETERSSON et al.

Application No.: 10/519,495

Confirmation No.: 5386

Filed: December 30, 2004

Art Unit: 3732

For: Implant and a method for treating an implant  
surface

Examiner: C. C. Stokes

**ASSENT OF ASSIGNEE TO CORRECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This letter is filed as part of a petition under 37 C.F.R. § 1.48(a).

Assignee: Astra Tech AB

Address: Aminogatan 1, Mölndal, Sweden S-431 21

This Assignment was recorded on August 8, 2005

Reel: 016868

Frame 0281

Application No.: 10/519,495

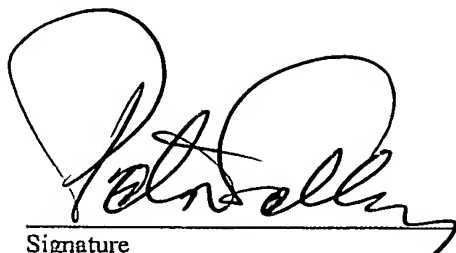
Docket No.: 0104-0497PUS1

Assignee hereby assents to the correction of inventorship filed

☒ herewith

☐ on

Feb 23, 2007  
Date

  
Signature

PETER SELLEY / CEO  
Type name and title of person authorized  
to sign on behalf of Assignee



Attorney Docket No. 0104-0497PUS1

## BIRCH, STEWART, KOLASCH & BIRCH, LLP

P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING

### COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title: AN IMPLANT AND A METHOD FOR TREATING AN IMPLANT SURFACE

the specification of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Fill in Appropriate Information - The specification was filed on 12-30-2004 as United States Application Number 10/519,495 ; and amended on \_\_\_\_\_ (if applicable) and/or

For Use Without Specification Attached: the specification was filed on May 6, 2003 as PCT International Application Number PCT/SE2003/000722 ; and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority Information (if appropriate)	Prior Foreign Application(s)	Sweden	July 19, 2002	Priority Claimed
(Number)	0202271-3	(Country)	(Month/Day/Year Filed)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
(Number)		(Country)	(Month/Day/Year Filed)	Yes <input type="checkbox"/> No <input type="checkbox"/>
(Number)		(Country)	(Month/Day/Year Filed)	Yes <input type="checkbox"/> No <input type="checkbox"/>
(Number)		(Country)	(Month/Day/Year Filed)	Yes <input type="checkbox"/> No <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

Insert Provisional Application(s): (if any)	(Application Number)	(Filing Date)
	(Application Number)	(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested Information (if appropriate)	Country	Application Number	Date of Filing (Month/Day/Year)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application

Insert Prior U.S. Application(s): (if any)	(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
	(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)



I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

CUSTOMER NO. 02292; (BIRCH, STEWART, KOLASCH & BIRCH, LLP)

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE:  
YOU MUST  
COMPLETE  
THE  
FOLLOWING:



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Full Name of First  
or Sole Inventor:  
Insert Name of  
Inventor →

Insert Residence

Insert Post Office  
Address →

Full Name of Second  
Inventor, if any:  
see above

Full Name of Third  
Inventor, if any:  
see above

Full Name of Fourth  
Inventor, if any:  
see above

Full Name of Fifth  
Inventor, if any:  
see above

Full Name of Sixth  
Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME Ingela PETERSSON	INVENTOR'S SIGNATURE <i>Ingela Petersson</i>	DATE* 2-19-2007
Residence (City, State & Country) Göteborg, Sweden		CITIZENSHIP Sweden
MAILING ADDRESS (Complete Street Address including City, State & Country) Godhemsgatan 22A; SE-414 68 Göteborg; SWEDEN		
GIVEN NAME/FAMILY NAME Kristina JUNEMO-BOSTRÖM	INVENTOR'S SIGNATURE <i>Kristina Junemo-Bostrom</i>	DATE* 2-19-2007
Residence (City, State & Country) Göteborg, Sweden		CITIZENSHIP Sweden
MAILING ADDRESS (Complete Street Address including City, State & Country) Barefällsgatan 3; SE-415 06 Göteborg; SWEDEN		
GIVEN NAME/FAMILY NAME Gunilla JOHANSSON-RUDÉN	INVENTOR'S SIGNATURE <i>Gunilla Rudén</i>	DATE* 2-11-2007
Residence (City, State & Country) Askim, Sweden		CITIZENSHIP Sweden
MAILING ADDRESS (Complete Street Address including City, State & Country) Bergstigen 20; SE-436 42 Askim; SWEDEN		
GIVEN NAME/FAMILY NAME Fredrik ANDERSSON	INVENTOR'S SIGNATURE <i>Fredrik Andersson</i>	DATE* 2-19-2007
Residence (City, State & Country) Mölndal, Sweden		CITIZENSHIP Sweden
MAILING ADDRESS (Complete Street Address including City, State & Country) Brogatan 2B; SE-431 30 Mölndal; SWEDEN <i>Häradsgatan 25C</i>		
GIVEN NAME/FAMILY NAME Stig HANSSON	INVENTOR'S SIGNATURE <i>Stig Hansson</i>	DATE* 2-19-2007
Residence (City, State & Country) Askim, Sweden		CITIZENSHIP Sweden
MAILING ADDRESS (Complete Street Address including City, State & Country) Gåsmossen 32; SE-436 39 Askim; SWEDEN		
GIVEN NAME/FAMILY NAME Jan-Eirik ELLINGSEN	INVENTOR'S SIGNATURE <i>Jan-Eirik Ellingsen</i>	DATE* 01-30-2007
Residence (City, State & Country) Bekkestua, <del>Sweden</del> <i>NORWAY</i>		CITIZENSHIP <del>Sweden</del> <i>NORWAY</i>
MAILING ADDRESS (Complete Street Address including City, State & Country) Caroline Overlandsvei <del>19</del> , NO-1356, Bekkestua, <del>Sweden</del> <i>NORWAY</i>		

\*DATE OF SIGNATURE